

E-filed 5/4/07

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

YBSENIA GOMEZ,

CASE NO. C06-07777 HRL

Plaintiff(s),

v.

STIPULATION AND [PROPOSED]
ORDER SELECTING ADR PROCESS

BIOCYBERNAUT INSTITUTE OF
CALIFORNIA, LLC ET AL

Defendant(s).

Counsel report that they have met and conferred regarding ADR and have reached the following stipulation pursuant to Civil L.R. 16-8 and ADR L.R. 3-5:

The parties agree to participate in the following ADR process:

Court Processes:

Non-binding Arbitration (ADR L.R. 4)

Early Neutral Evaluation (ENE) (ADR L.R. 5)

✓ Mediation (ADR L.R. 6)

(Note: Parties who believe that an early settlement conference with a Magistrate Judge is appreciably more likely to meet their needs than any other form of ADR, must participate in an ADR phone conference and may not file this form. They must instead file a Notice of Need for ADR Phone Conference. See Civil Local Rule 16-8 and ADR L.R. 3-5)

Private Process:

Private ADR (please identify process and provider) _____

The parties agree to hold the ADR session by:


the presumptive deadline *(The deadline is 90 days from the date of the order referring the case to an ADR process unless otherwise ordered.)*

other requested deadline _____

Dated: _____

Dated: 5/4/07


Attorney for Plaintiff


Attorney for Defendant

When filing this document in ECF, please be sure to use the appropriate ADR Docket Event, e.g., "Stipulation and Proposed Order Selecting Early Neutral Evaluation."

[PROPOSED] ORDER

Pursuant to the Stipulation above, the captioned matter is hereby referred to:

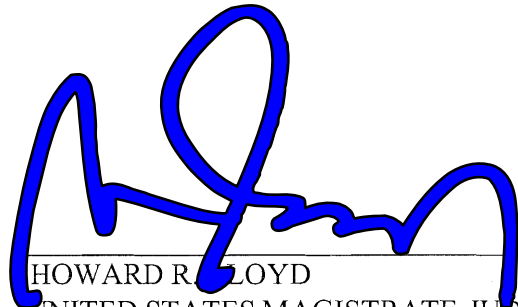
- Non-binding Arbitration
- Early Neutral Evaluation (ENE)
- ✓ Mediation
- Private ADR

Deadline for ADR session

- ✓ 90 days from the date of this order.
- other

IT IS SO ORDERED.

Dated: 5/3/07 _____



HOWARD R. LOYD
UNITED STATES MAGISTRATE JUDGE

CERTIFICATE OF SERVICE

I hereby certify that on the date set forth below, I served a true copy of the foregoing
STIPULATION AND [PROPOSED] ORDER SELECTING ADR PROCESS on the
individuals listed below:

James Dal Bon, Esq.
Dal Bon & Wang
12 South First Street, Suite 613
San Jose, CA 95113
Fax: (408) 292-1045

Attorney for Plaintiff

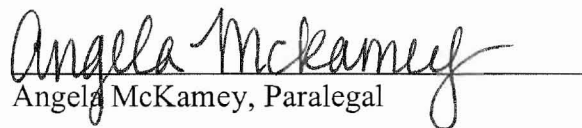
☒ by **mailing** a full, true, and correct copy thereof in a sealed first-class postage-prepaid envelope, addressed to the attorney as shown above, the last-known office address of the attorney, and deposited with the United States Postal Service at Portland, Oregon, on the date set forth below.

☐ by causing a full, true, and correct copy thereof to be **hand-delivered** to the attorney at the attorney's last-known office address listed above on the date set forth below.

☐ by sending a full, true, and correct copy thereof via **overnight courier** in a sealed, prepaid envelope, addressed to the attorney as shown above, the last-known office address of the attorney, on the date set forth below.

☐ by **faxing** a full, true, and correct copy thereof to the attorney at the fax number shown above, which is the last-known fax number for the attorney's office, on the date set forth below. The receiving fax machine was operating at the time of service and the transmission was properly completed.

DATED this 2nd day of May, 2007.


Angela McKamey, Paralegal